

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DARNELL KELLEY and PHYLLIS LEE- KELLEY,)	
)	
)	
Plaintiffs,)	NO. 2:22-cv-00733-LA
)	
ILLINOIS DEPARTMENT OF)	
HEALTHCARE AND FAMILY SERVICES)	
and XAVIER BECERRA, SECRETARY OF)	
THE DEPT. OF HEALTH AND HUMAN)	
SERVICES,)	
)	
Subrogated Plaintiffs;)	
v.)	
)	
MENARD, INC. and NATIONAL UNION)	
FIRE INSURANCE COMPANY OF)	
PITTSBURGH, PA.,)	
)	
Defendants,)	
)	
MENARD, INC.,)	
)	
Third-Party Plaintiff,)	
)	
v.)	
)	
DJUAN WILLIAMS a/k/a DAJUAN)	
WILLIAMS,)	
)	
Third-Party Defendant.)	

**ORDER ON MENARD, INC.'S MOTION FOR LEAVE TO USE ALTERNATIVE
SERVICE AND FOR EXTENSION OF TIME TO SERVE
THIRD-PARTY DEFENDANT**

THIS CAUSE coming to be heard on Defendant and Third-Party Plaintiff, Menard, Inc.'s, Motion for Leave to Use Alternative Service and For Extension of Time to Serve Third-Party Defendant, due notice having been given and the Court being fully advised in the premises:

IT IS HEREBY ORDERED, ADJUDGED and DECREED, upon a finding of good cause shown, that the aforesaid Motion is GRANTED.

IT IS HEREBY ORDERED: Defendant and Third-Party Plaintiff, Menard, Inc., is hereby permitted to serve Third-Party Defendant, Djuan Williams a/k/a Dajuan Williams, with an Alias Summons and its Third-Party Complaint via publication pursuant to Fed. R. Civ. P. 4(e)(1), Wis. Stats. §§ 801.11(1)(c) and 985.

IT IS FURTHER ORDERED: Menard, Inc. is excused from the request for waiver of service requirement of Fed. R. Civ. P. 4(d) and the mailing requirement of Wis. Stat. § 801.11(1)(c).

IT IS FURTHER ORDERED: Menard's time to effect service by publication pursuant to Wis. Stat. § 985 is extended by 90 days, to and including February 9, 2024.

SO ORDERED this 18th day of December, 2023.

/s/ Lynn Adelman

JUDGE, U.S. DISTRICT COURT

Distribution: All Counsel of Record